

200 KAR 5:325 Consideration to be given to use of Kentucky-made wood products.

RELATES TO: KRS Chapters 45A, 154.47

STATUTORY AUTHORITY: KRS 45A.035, 45A.045(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 45A.035 and 45A.045(2) authorize the Secretary of the Finance and Administration Cabinet to promulgate administrative regulations governing purchases. This administrative regulation establishes requirements for consistent consideration of the use of Kentucky-made wood products by state agencies, in accordance with KRS 154.47.

Section 1. Commonwealth agencies requesting the purchase of wood products shall review specifications for those procurements to:

- (1) Assure that specifications do not preclude the use of Kentucky-made wood products without full written justification included in the purchase request for the wood products.
- (2) Consider the use of generic specifications that describe functional and performance requirements to which responsible Kentucky wood products manufacturers could be responsive.
- (3) Assure that "brand name or approved equal" specifications are used only after it has been determined that functional and performance-based specifications cannot reasonably be prepared.

Section 2. The Finance and Administration Cabinet may review the specifications for wood product procurement requests and may permit the Kentucky Wood Products Competitiveness Corporation, and other governmental entities whose interests include providing business opportunities to Kentucky wood products manufacturers, to review the specifications.

Section 3. Every purchasing agency of the Commonwealth shall review the listing of Kentucky manufacturers and commodities in the Kentucky Wood Products Mall website, which is maintained by the Kentucky Wood Products Competitiveness Corporation, if soliciting bids for wood products. All solicitations for wood products shall be posted on the Commonwealth's electronic procurement website. A state agency shall consider Kentucky-made wood products on master agreements if purchasing from the electronic catalog in the state's procurement system. (23 Ky.R. 1470; eff. 11-11-96; 30 Ky.R. 686; 1471; eff. 1-5-2004.)